

REMARKS

Reconsideration and withdrawal of the rejections of the claims set forth in the Official Action of April 21, 2006, is respectfully requested in view of the following remarks.

Status of the Claims

Claims 1-30 are currently pending.

Claims 31-56 were withdrawn from consideration.

Claims 1-9 and 30 were rejected under 35 U.S.C. § 102(e).

Claims 10-29 were rejected under 35 U.S.C. § 103(a).

Claim 22 has been amended to fix a typographical error. Applicants respectfully submit that no new matter has been added.

Applicants' Reply

Rejections under 35 U.S.C. § 102

Claims 1, 2, 4-9 and 30 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,654,261 to Gudjonsson et al. ("Gudjonsson"). Applicants respectfully traverse this rejection.

Claim 1 of the present invention recites the combination of, *inter alia*, a network controller subsystem, a digital signal processing subsystem coupled to a network controller subsystem for detecting incoming calls and initiating call sessions, a signal conversion subsystem coupled to the digital signal processing subsystem, and a user interface coupled to both the signal conversion subsystem and the digital signal processing system.

Gudjonsson fails to disclose or suggest any such combination. Instead, Gudjonsson describes a network including plurality of clusters of servers wherein aspects of the network act as brokers and broker communication services between two or more people

(*see* col. 7, lines 35-39 and 52-56). In fact, Gudjonsson teaches away from claim 1 because Gudjonsson includes a special service within each cluster called the Routing Service which is necessary to connect the users. (*see* col. 9, lines 17-21). Thus messages are never sent directly between users and instead pass through the routing service. (*see* col. 9, lines 26-28).

In contrast, claim 1 includes a digital signal processing subsystem, coupled to a network controller subsystem, that includes a computer program for detecting incoming calls and initiating call sessions. Gudjonsson describes how communication sessions may be established over a plurality of clusters of servers, but nothing in Gudjonsson discloses or suggests any such digital signal processing subsystem which includes a computer program for detecting incoming calls and initiating call sessions.

Claim 1 also includes a signal conversion subsystem coupled to the digital signal processing subsystem. The Examiner argues that col. 7, line 35 - col. 8, line 34 and col. 34, lines 26-49 of Gudjonsson discloses this element. (*see* pg. 3 of Office Action). Applicants respectfully disagree because this section of Gudjonsson describes establishing communication sessions by linking a plurality of clusters of servers, but it does not disclose or suggest any signal conversion. Therefore, Gudjonsson does not disclose or suggest a signal conversion subsystem coupled to a digital signal processing subsystem.

Claim 1 further includes a user interface coupled to both the signal conversion subsystem and the digital signal processing subsystem. The Examiner argues that col. 7, line 35 - col. 8, line 34 and col. 34, lines 26-49 of Gudjonsson discloses this element. (*see* pg. 3 of Office Action). Applicants respectfully disagree. Although this cited portion of Gudjonsson describes the user interface as clients (*e.g.*, a user's PC, mobile phone, or PDA), it fails to disclose or suggest that this interface be coupled to both a signal conversion subsystem and a digital signal processing subsystem as required by claim 1.

Therefore, because Gudjonsson does not disclose or suggest each and every element of claim 1, claim 1 is not anticipated by Gudjonsson.

Claims 2-9 depend from claim 1 and as such are patentable over Gudjonsson for at least those reasons recited above.

Claim 30 is directed to a packet data network system comprising at least one data network appliance which includes substantially similar elements as the network appliance of claim 1. Therefore, claim 30 is patentable over the cited art for at least the same reasons as discussed above with respect to claim 1.

Thus, the rejection of claims 1, 2 and 4-9 and 30 under 35 U.S.C. § 102(e) should be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 11-19 and 21 have been rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Gudjonsson in view of U.S. Patent No. 6,842,505 to Suder et al. (“Suder”). Applicants respectfully traverse this rejection.

Claims 11-19 and 21 depend on claim 1, which is patentable over Gudjonsson for the reasons discussed above. Suder does not cure the deficiencies of Gudjonsson. Indeed, Suder was only cited by the Examiner as disclosing a sensor. As such, claims 11-19 and 21, which depend from claim 1, are not rendered obvious by Gudjonsson or Suder, either alone or in combination. Applicants respectfully request that these rejections be withdrawn.

Claims 10, 20 and 22-29 have been rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Gudjonsson and Suder and further in view of U.S. Patent No. 6,608,832 to Forslow (“Forslow”). Applicants respectfully traverse this rejection.

Claims 10, 20 and 22-29 depend on claim 1, which is patentable over Gudjonsson for the reasons discussed above. Forslow does not cure the deficiencies of Gudjonsson. In fact, Forslow was only cited by the Examiner as disclosing specific protocol layers. As such, claims 11-19 and 21, which depend from claim 1, are not rendered obvious by Gudjonsson or Forslow, either alone or in combination. Applicants respectfully request that these rejections be withdrawn.

Applicants respectfully request that the rejection of claims 10-29 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

Based on the foregoing, Applicants submit that the present application is now in condition for allowance. A Notice of Allowance is respectfully requested. The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication to Deposit Account No. 02-4377. In the event that the application is not deemed in condition for allowance, the examiner is invited to contact the undersigned in an effort to advance the prosecution of this application.

Respectfully submitted,

BAKER BOTTS L.L.P.

By: _____

Paul A. Ragusa
Patent Office Reg.No. 38,587

30 Rockefeller Plaza, 44th Floor
New York, NY 10012-4498
Attorneys for Applicants
212-408-2500

Enclosures